

REMARKS

35 USC § 102

Claims 1, 3 and 12 are finally rejected under 35 U.S.C. 102(b) as being anticipated by Bromer et al. (5,445,417).

Claims 1, 4 and 12 are finally rejected under 35 U.S.C. 102(b) as being anticipated by Liener Chin et al. (6,632,042).

35 USC 103

Claim 4 is finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bromer et al. in view of Liener Chin et al. (6,632,042).

Claims 5 and 6 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bromer et al. in view of Fountain.

Claim 7 is finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bromer et al. in view of Young.

Claims 8-11 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bromer et al. in view of Hawley.

Claim 32 is finally rejected under 35 U.S.C. 103(a) as being unpatentable over Bromer et al.

Claims 13-31 have been cancelled in accordance with the restriction requirement. Accordingly, these claims are no longer present in the subject application.

Applicant respectfully submits that the Bromer et al and the Liener Chin et al references do not disclose or teach the invention as claimed, nor are they even relevant to the claimed invention. In particular, independent claim 1 is directed to an image product assembly that includes a dual cited album leaf, which comprises the first and second ply layers that are inserted together to form

a pocket, wherein the outer surface of the first and second ply layers having a plurality of images formed thereon. With regard to what is an album leaf, Applicant respectfully submits that an album leaf as claimed requires providing a plurality of images thereon. As set forth in Webster's New Collegiate Dictionary, an album is defined as "a book or binder with blank pages for mounting a collection, as of stamps or photographs therein." Further, as set forth in the specification, at page 5, lines 22-25, sets forth that in the preferred embodiment the media forming the album leaf having images formed on the emulsion side of the media (eg. photographic paper). Thus, an album leaf made according to the present invention has images formed integrally thereon and are images that are not meant to be seen through. Since there are images on both the front and backside of the album, it would be nonsensical that the images could be viewed through the ply layers, as then one image would interfere with the other. Thus, it is clear that the first and second ply layers are such that distinct images can be viewed on either side. This is in complete contrast to the Bromer et al and Liener Chin et al references. As set forth in the Bromer et al reference, this reference is directed to a presentation folder and method of making, which includes a plastic cover sheet and a back cover sheet that may be joined at a common edge. There is no teaching or suggestion for providing images on the front and back cover of the type to which the present invention is directed. Quite the contrary, what is disclosed is the cover sheet having pre-applied graphics forming selected opaque display areas and the remaining areas being transparent or translucent that is capable of revealing at least one of the information on the papers provided therein. Thus, it is clear that Bromer et al is not directed to ply layers having images formed thereon, as taught and claimed by Applicant.

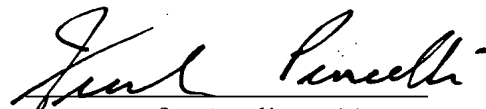
In addition, the present invention is directed to providing an insert in conjunction with the album leaf so that it can be placed within the pocket formed by the dual-sided album leaf; wherein, information is provided on the insert that relates to the plurality of images and is located in a position on the insert such that it can be readily identified with respect to which of the plurality of images it is associated. It is respectfully submitted that the letters provided on the sheet placed in the folder of Bromer et al does not provide any information with regard to the images on the outside. As previously discussed, there are no images as taught and claimed by Applicant. Furthermore, there is no teaching or

suggestion in this reference of providing information relating to the images. Nor, does the reference teach or suggest that these are located in a position such that the information can be associated with the appropriate image. Applicant respectfully submits that the Examiner has misinterpreted the cited prior art.

The Liener Chin et al reference suffers from many of the same problems that the Bromer et al suffers with regard to the present invention. As set forth at Column 7, lines 66 through page 8, line 5, of Liener Chin et al, this reference therein is directed to transparent front and back sheets 308 and 312. Since these are transparent sheets, it does not provide the plurality of images on an image product as taught and claimed by Applicant. It is respectfully submitted that the Liener Chin et al is deficient for the same reasons discussed with Bromer et al.

In view of the foregoing, Applicant respectfully submits that the application in the present form is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Frank Pincelli", written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.